

10/05/01  
11059 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner D. Nguyen

Art Unit 1633

Assistant Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

11000 U.S. PTO  
09/970820  
10/05/01

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/176,330 filed on October 22, 1998.

of Dean A. Falb and Michael A. Gimbrone  
(inventor(s) currently of record in prior application)

for Compositions and Methods for the Treatment and Diagnosis of Cardiovascular Disease Using Rchd534 As A Target  
(title of invention)

1. ☒ Please cancel in this application the original claims 4-7, 9 and 12-66 of the prior application, before calculating the filing fees.

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	12	-20	0	\$18.00 each	\$ 0.00
Independent	1	-3	0	\$80.00 each	\$ 0.00
Basic Fee					\$ 710.00
Multiple Dependency Fee If Applicable (\$270.00)					\$ 270.00
Total					\$ 980.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- \$ 0.00
Total Filing Fee					\$ 980.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

3. ☐ Amend the specification by inserting before the first line the following sentence: This is a continuation of application no. 09/176,330, filed October 22, 1998.

- 4a. ☐ New formal drawings are enclosed.

- 4b. ☒ Informal drawings are enclosed.
- 5a. ☐ Priority of application no. filed on in is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☒ The prior application is assigned of record to Millennium Pharmaceuticals, Inc. and Brigham and Women's Hospital.
- 7a. ☒ A copy of the Power of Attorney filed in the prior application no. 09/176,330, filed October 22, 1998 is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☒ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no.09/176,330, filed on October 22, 1998 be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no.09/176,330 is enclosed.
9. ☒ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no.09/176,330 is the same as the content of the computer readable form submitted in application no.09/176,330.
10. ☐ DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11. Additional enclosures or instructions. Statement, Assignment and Petition to Correct Inventorship by Michael Gimbrone, Jr.;

Respectfully submitted,

Date October 5, 2001

  
Serge Sira 39,445  
(Reg. No.)

**For: Laura A. Coruzzi, Reg. 30,472**  
**PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, New York 10036-2711  
Phone: (212) 790-9090

09/176,330

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Dean A. Falb and Michael A. Gimbrone, Jr. (As Amended)

Application No.: 09/176,330

Group Art Unit: 1643

Filed: October 22, 1998

Examiner: To be assigned

For: COMPOSITIONS AND METHODS  
FOR THE TREATMENT AND  
DIAGNOSIS OF  
CARDIOVASCULAR DISEASE  
USING RCHD534 AS A TARGET  
(As Amended) Attorney Docket No.: 7853-131

**PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant hereby petitions under 37 C.F.R. § 1.48(a) to amend the above-identified application to add the name of the co-inventor of the claimed subject matter claimed therein: Michael A. Gimbrone, Jr., M.D. Michael A. Gimbrone, Jr., M.D. is also a true and actual inventor of the invention disclosed and claimed in the above-identified application.

In support of this Petition and in accordance with 37 C.F.R. § 1.48(a),

Applicant submits concurrently herewith:

- (1) Statement by Michael A. Gimbrone, Jr., M.D., Under 37 C.F.R. § 1.48(a)(1), the person being added as an inventor;
- (2) Declaration and Power of Attorney under 37 C.F.R. § 1.63 of the actual inventors, Dean A. Falb, Ph.D. and Michael A.

**Abstract**

DC1 - 222217.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Dean A. FALB

Application No.: 09/176,329

Group Art Unit: 1643

Filed: October 22, 1998

Examiner: To be assigned

For: COMPOSITIONS AND METHODS  
FOR THE TREATMENT AND  
DIAGNOSIS OF  
CARDIOVASCULAR DISEASE  
USING RCHD534 AS A TARGET  
(As Amended)

Attorney Docket No.: 7853-131

STATEMENT BY MICHAEL A. GIMBRONE, JR., M.D.,  
UNDER 37 C.F.R. § 1.48(a)(1)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

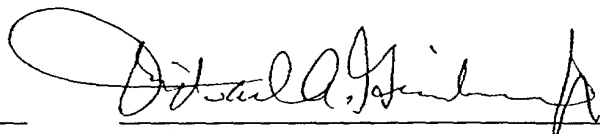
I, MICHAEL A. GIMBRONE, JR., M.D., hereby state the following:

1. I am the same Michael A. Gimbrone, Jr., M.D. who executed a Declaration and Power of Attorney, signed even date herewith, as a co-inventor of the application captioned above.

2. I have reviewed and understand the content of the Petition under 37 C.F.R. § 1.48(a)(1), to be submitted concurrently herewith, to correct the inventorship of the above-identified application to add myself, Michael A. Gimbrone, Jr., M.D., as a co-inventor of the subject matter disclosed and claimed in the above-identified application.

3. The error in which I was not named as an inventor of the application identified above occurred with no deceptive intention on my part.

Date: 6.4.99

  
Michael A. Gimbrone, Jr., M.D.

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